

November 5, 2021

By ECF

The Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Douglas Mackey, Case No. 21-cr-00080-NGG

Dear Judge Garaufis,

The parties in the above-referenced matter are scheduled to appear before this Court on November 10, 2021, for a status conference and were directed by the Court to confer and submit a joint proposed briefing schedule in advance of that status conference. The parties are currently addressing the Bill of Particulars and discovery-related issues. Therefore, parties jointly seek a two-month adjournment of the November 10, 2021 status conference in order to continue conferring in an effort to narrow the disputed issues—which parties have committed to do and will work out their meeting of the minds on contested issues.

Accordingly, the parties respectfully request that the Court set a new status conference at a date convenient to the Court, and that the time period from November 10, 2021, to the date of the new status conference be excluded in computing the time within which trial must commence, based on the interests of justice and complexity of the case. *See* 18 U.S.C. §§ 3161(h)(7)(A), (B)(ii). This is the third application for an adjournment. The prior applications for adjournments were granted.

The parties have conferred and came to an agreement on the following briefing schedule:

- January 10, 2022 for the Motion Requesting a Bill of Particulars
- February 8, 2022 for the Government's Opposition
- February 14, 2022 for Defendant's Reply
- In 30 days following the decision on the Bill of Particulars, Defendant will file a Motion to Dismiss
- The Government will file their Opposition to the Motion to Dismiss in 30 days
- Defense will file their Reply to the Motion to Dismiss in 14 days



Respectfully submitted,

/s/

Tor Ekeland

Attorney for Defendant

Cc: Erik David Paulsen, Olatokunbo Olaniyan, William J. Gullotta (by ECF)